

Copyright Meets Fandom

Understanding the Cultural Influence of Manga and Anime: Through Fan Translations and Copyright Laws

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Introduction

The worlds of Anime and Manga have had a large influence on the youth pop culture of America. With a greater extent of young people turning away from soft and safe American comics and cartoons. In favor of weightier topics, more violent and the graphic nature that Anime provides. Enjoying unique and odd High School and Boy Love romance found in Manga's. But the lack of properly translated work available has led to many youths searching out alternatives resources. Mostly to fan-translated versions of Anime and Manga found online. These fan translators hold themselves to extremely high standards and crazy timelines, in order to provide great quality and fulling the gaps left by the industries themselves. However, these fan works have place strain on both Manga and Anime industries in the U.S. and Japan. This strain had also caused conflicts between the fans and the authors of shows and comics. Because fan translations are nothing more than the misappropriation of someone's else copyrighted work.

Who Are They?

Fans

- Fans of Manga and Anime cover a wide range of people. Young teenagers, college students, hipsters, businessmen and even parents.
- Gender and Age do not matter either.
 - In fact the leading purchaser of manga today, is young woman between the ages 13-30.
- Leading watchers of Anime are both male and female ages 12-40.

Fan Translators

- Manga Fan Translators call themselves Scanlators.
- Anime Fan Translators call themselves Fansubbers.

How Do They Do It?

Manga

- Scanlation starts with acquiring raw Japanese manga chapters, 3 main ways
 - Sent copies for a friend in Japan
 - Purchase physical or digital copies
 - Search online for free raw uploads
- 1st Step Cleaning Pages
 - Erase all Japanese text, darkening lines and sharpening pictures.
- 2nd Step Translating
 - Difficultly based on style and type of manga it is and how many words are in the chapter.
- 3rd Step Proofreading
 - Looking for grammatical error, replace words with collocation, makes sure script flow naturally.
- 4th Step Typesetting
 - Placing the new script onto the pages. Redraws word bubbles, chooses proper type style.
- 5th Step Redrawing
 - Redraws images and whitens the background. Makes pictures stand out properly.
- 6th Step Editing
 - Rechecks the work. Looks at overall cohesiveness of the script with pictures and story plot.
- 7th Step Unloading Finished Manga Chapter
- With a really cohesive team Scanlation teams can turn out finished chapters in 24-48 hours after receiving the raws.

Anime

- Fansubbing is whole different ballgame. Uses a lot of different software and needs certain levels of technical skill.
- 1st Step Receive Untranslated Anime episode, from friend in Japan
 - Slept up jobs, so there's no miscommunication or work pile up.
- 2nd Step Encoding the Video File
 - Changes the file size so that it will be compatible with any device. Makes 2 versions 'Workraw' and 'Final'. Sends Workraw to translator and editor and Final to timer and typesetter.
- 3rd Step Translation
 - Using a great pair of headphones, the translator listens and re-watches the episode over and over in order to be able to translate a new script. Sending the initial script to the timer and typesetter.
- 4th Step Timing the Subtitles
 - Syncing the words with the audio, makes sure each line doesn't bleed into the next scene, while being visible long enough to read.
- 5th Step Typesetting
 - They take any written translation from the video and place its English translation in its place. So any letters, SMS messages and even road signs are seen in English.
- 6th Step Editing the Script
 - Editor corrects any errors, adds in frill when needed. Sends revised copy to translator.
- 7th Step Translator and Partner check Editor's work.
- 8th Step Second Encoding Process
 - Creates new video file with all finished edits, from the typesetter, timer, and translator. Sends finished product for quality check.
- 9th Step Quality Check
 - Goes over every step, all the notes and encoding processes, to make sure nothing was forgotten. When it is given seal of approval, they have official finished translating the episode.
- 10th Step Uploading of the episode to viewing site.

The processes of Scanlation and Fansubbing aren't much different from what the professionals follow. The only differences are that professionals work for companies and are paid for their work. But both professionals and Fan translators contribute to the lifespan of Anime and Manga fandoms. Helping to deepen cultural influence of Japanese culture in U.S. pop culture.

The Copyright Laws

Japanese Copyright Laws

- 2 Types of Rights of protection for Authors and Creators**
- Moral Rights**
 - Offer the rights to reproduce the work, right to transmit, right to distribute the work or its reproductions, right to transfer ownership of the work and right of translation.
 - Under Article 59 of Japanese Copyright Law, Moral Rights belong to the author exclusively, they can not be transferred to another after the copyright has already been made.
- Economic Rights**
 - Allows for the reproduction, distribution, translations, public transmission, exhibition, exploitation or derivative works.
 - However, unlike Moral rights, Economic right are transferable to a new owner after the creator has already registered the copyright for their product.
- Fan Translations violate all these protections

American Copyright Laws

- Fan Translations are considered Derivative Works**
 - Derivative Works: are made up from preexisting copyrighted works, that are changed into new works. Such as translations, musical arrangements, movies based off of novels, or plays.
- U.S. Copyright Laws has 'Fair Use' Clause, which Japanese doesn't**
 - In section 107 of the Copyright Act, allows for the freedom of expression by permitting the unlicensed use of copyright-protected work in certain circumstances. Examples: News reporting, Research, and in parodies of works.
- But to be able to use Fair Use Clause in your favor, your work must pass 4 criteria.**
 - What is the purpose and character you're using, this includes if it is for commercial or nonprofit educational purposes.
 - What is the nature of the copyrighted work, is it a novel or musical number.
 - How much and which part are you using, in relation to the whole work.
 - How will your use of the work impact the original potential market or value of that copyrighted work.
- The Problem**
 - Most fan translators like to use 'Fair Use' as protection from U.S Copyright Lawsuits. They don't take into account that the U.S. has to uphold other countries copyright laws, because of the Berne Convention.
- Berne Convention**
 - Berne Convention for the Protection of Literary and Artistic Works, is a International agreement governing copyright. Was signed between 168 countries in 1986.
 - Because of this agreement, any country that has signed treaties with the U.S., the U.S. most protect their copyrighted works in the U.S. as well.
 - The only distinction that the Berne Convention makes regarding fan translation, in found in Article 2. Stating that translations, adaptations, arrangements of music and other alterations of literary or artistic works shall be protected. As if they are original work without prejudice to the copyright in the original work. This doesn't mean that fan translation are original creations, just that they can be considered originals.
 - Any Video or Audios stay copyrighted.
 - But any Anime's translated by a group of people may be considered independent of the original Anime they translated it from.

Website Proposal

This poster is an example of the website I would like to develop. I would like to provide all the knowledge about how fan translations are created. Explaining fully all the various aspects of the copyright systems work in U.S. and Japan. As well as give some background on how Anime and Manga fandoms began in America. Hopefully, provide insight into how they have gained such a grip on the youth culture today. They are gaining ground, and I don't foresee it stopping any time some.

Stakeholders

Here are just a few examples of the Stakeholders that I would work with to spread the word about the impact Fan Translations have one the Manga and Anime Industries.

Professional Translation and Publishing Companies

- American**
 - Crunchyroll, Funimation, TOKYO POP and Viz Media etc...
- Japanese**
 - Kondansha, Toei Animation, Studio Ghibu etc...

Fan Translation Groups

Red Hawk, Manga Daisuki, Omanga, Zoenic Scanlations etc...

Authors of Manga and Anime

Satoko Okudera, Author of *Girl Who Leap Through Time*
Makoto Shinkai, Creator of *Your Name*
Gen Urobuchi, Author of *Psycho = Pass*
Nobuhiro Watsuki, Author of *Rurouni Kenshin*
And many more....



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